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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES - CHAIRMAN
 GARY PIERCE
 PAUL NEWMAN
 SANDRA D. KENNEDY
 BOB STUMP

2009 JUN 15 P 4:41

Arizona Corporation Commission

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JUN 15 2009

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IN THE MATTER OF THE APPLICATION OF
 THE SOLAR ALLIANCE FOR A
 DECLARATORY ORDER THAT PROVIDERS OF
 CERTAIN SOLAR SERVICE AGREEMENTS
 WOULD NOT BE PUBLIC SERVICE
 CORPORATIONS.

DOCKET NO. E-20633A-08-0513

TUCSON ELECTRIC POWER
 COMPANY AND UNS ELECTRIC,
 INC. LIST OF HEARING ISSUES

Tucson Electric Power Company ("TEP") and UNS Electric, Inc. ("UNS Electric"), collectively referred to as "the Companies", hereby submit their list of potential hearing issues in response to the May 13, 2009 Procedural Order in this docket.

The primary focus of a hearing should be an analysis of the facts and law underlying the issue of whether a solar service agreement ("SSA") provider is a Public Service Corporation ("PSC"). The twelve (12) "characteristics" of a SSA provider set forth by the Solar Alliance may be an appropriate starting point for the analysis, but as they are currently presented do not resolve the issues as they are vague and ambiguous. In order to provide the Arizona Corporation Commission ("Commission") with an adequate and legally sufficient basis upon which to determine whether SSA providers are PSCs, the twelve (12) characteristics need to be investigated, clarified and refined. Furthermore, there are several additional issues that should be addressed in order to assist the Commission in determining the appropriate conditions that may apply to a SSA provider, including conditions necessary for:

1. Consumer protection, such as protections against insolvency of the SSA provider, charges and billing disputes, and service continuity.

2. Safety and reliability.

1 3. Interactions with the incumbent utility provider.

2 4. Compatibility and compliance with existing Commission rules and policies.

3
4 The Companies believe that the proper determination and resolution of the issues subject to
5 this docket is critical to the success of the viability of the solar industry in Arizona. The
6 Companies recognize that public service corporations and the Commission's regulation of them
7 are derived from the Arizona Constitution. The Companies look forward to participating in the
8 Procedural Conference and the resultant hearings to provide the Commission with an adequate
9 record upon which to make its decision.

10
11 RESPECTFULLY SUBMITTED this 15th day of June 2009.

12 TUCSON ELECTRIC POWER COMPANY
13 UNS ELECTRIC, INC.

14 By 

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23 UNS Electric, Inc.

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25 Original and 13 copies of the foregoing
filed this 15th day of June 2009 with:

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